



The Law Offices of

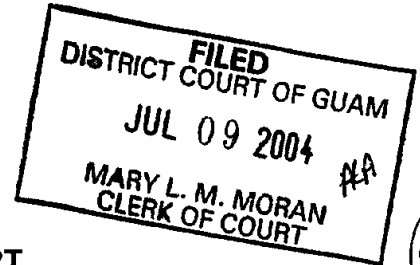
PHILLIPS & BORDALLO

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"I Erensia, Lina'la', Espiritu-ta"



Attorneys for Petitioner

UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

JULIE BABAUTA SANTOS, individually,
and on behalf of all those similarly situated,

Petitioner,

vs.

FELIX A. CAMACHO, Governor of Guam,
ART ILAGAN, Director of Department of
Revenue and Taxation, LOURDES M.
PEREZ, Director of Department of
Administration; and GOVERNMENT OF
GUAM,

Respondents.

CIVIL CASE NO. 04-00006

**DECLARATION OF MICHAEL
F. PHILLIPS IN SUPPORT OF
MOTION FOR CONTINUANCE**

I, Michael F. Phillips, declare as follows:

1. I am the attorney of record for the above-named Petitioner and duly admitted to practice before the District Court of Guam. I make this declaration of my own knowledge, and, if called as a witness, I could and would testify to the facts set forth herein;

2. I depart Guam on July 22, 2004 for the Democratic National Convention. I am the Chair of the Democratic Party of Guam and an official delegate to the Convention taking place the week of July 25, 2004 in Boston, Massachusetts and

ORIGINAL

1 ending on or about July 29, 2004. I am scheduled to return from off-island the evening
2 of August 2, 2004. My itinerary and proof of ticket are attached as Exhibit "A";

3 3. I have diligently prepared for all matters involved in this case, including
4 previous hearings and I am not filing this motion in bad faith or to unreasonably delay
5 the proceedings. I will be able to meet the other deadlines set by the Court for
6 Petitioner's response (due on July 16, 2004);
7

8 4. I do not believe a short continuance will inconvenience the Court or
9 prejudice opposing counsel or new parties attempting to intervene. This is my first
10 request in this case for a continuance and I do not believe I will need another
11 continuance in order to comply with the Court's schedule;
12


13 5. Over the last few days I have attempted to stipulate to a new hearing date
14 with the attorneys for Applicants for Intervention. Petitioner's counsel attempted
15 unsuccessfully to obtain the consent of the attorney representing Applicant for
16 Intervention Christina Naputi. Attorney Van de veld, representing Christina Naputi, is
17 not able to stipulate to a short continuance without first receiving a new hearing.
18 Attorney Van de veld desires his motion be heard by an Article III Judge. He is
19 informed the visiting Judge scheduled to be on Guam during the period this matter is
20 presently set for hearing may have left if his motion is not heard on August 2, 2004.
21 Attorney Van de veld has requested Magistrate Judge Joaquin Manibusan be removed
22 from this case and an Article III judge appointed in his place;
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2 6. Attorney Ignacio C. Aguigui, representing Applicant for Intervention
3 Charmaine Torres, does not object to the continuance for one or two days, but wants
4 the hearings to be held as soon as possible;

5 7. The Attorney General of Guam, representing all Respondents, does not
6 object to the continuance.

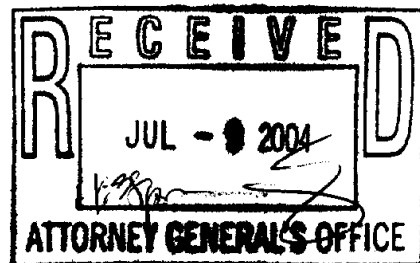
7 Dated this 9th day of July, 2004.

8
9
10 
Michael F. Phillips

11 Lujan Aguigui & Perez LLP
12 Date: 7/9/04
13 Time: 1:20p-m
14 Rec'd: 

15 THE VANDEVELD LAW OFFICES, P.C

16 Received by: 
17 Date: 7/9/04 Time: 1:11



Mike's Itinerary Confirmation No.: **UGS3SE**
Boston Conference
Democratic National Convention

Depart	Day	Date	Time	Arrive	Day	Date	Time	Airlines	Flight No.	Seat No.
Guam	Thursday	22-Jul-04	6:00am	Honolulu	Wednesday	21-Jul-04	5:15pm	Continental	2Y	20K
Honolulu	Thursday	22-Jul-04	8:15pm	Los Angeles	Friday	23-Jul-04	5:00am	Continental	76Y	24L
Los Angeles	Saturday	24-Jul-04	8:45am	Boston	Saturday	24-Jul-04	5:06pm	United	162V	
Boston	Saturday	31-Jul-04	8:35am	Los Angeles	Saturday	31-Jul-04	11:32am	United	163W	
Los Angeles	Sunday	1-Aug-04	9:45am	Honolulu	Sunday	1-Aug-04	12:15pm	Continental	75Y	34B
Honolulu	Monday	2-Aug-04	1:45pm	Guam	Monday	3-Aug-04	5:25pm	Continental	1Y	22B

DNC Schedule of Events:
Sunday July 25th 5:00pm - 7:00pm Delegation Reception
Mon - Thur July 26th - 29th Convention
Friday July 30th DNC Meeting

EXHIBIT A